

AMENDMENTS TO THE DRAWINGS

The attached “Replacement Sheet(s)” of drawings include(s) changes to Figure 1B. The attached “Replacement Sheet(s),” which includes Figures 1-16, replaces the original sheets including Figures 1-16.

Attachment: Replacement Sheets

REMARKS

Claims 1-22, 25-36, and 39 are now pending in the application. Claims 40-42 have been cancelled without prejudice. Minor amendments have been made to the specification to correct clerical errors. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein. No new matter has been added

DRAWINGS

The drawings stand objected to for certain informalities. Specifically, the Examiner objected to the drawings as failing to comply with 37 CFR §1.84(p)(5) because they included reference characters 204 and 301, which were not mentioned in the specification.

Applicants have reviewed the drawings but have not found any references to reference characters 204 and 301 in any of the drawings. Applicants respectfully request the Examiner to indicate which drawings contain reference numbers 204 and 301.

Nonetheless, Applicants disagree that reference characters 204 and 301 were not mentioned in the specification. Applicants refer the Examiner to paragraph 0021, line 6 of the specification which includes reference character 204. With respect to reference character 301, Applicants refer the Examiner to paragraph 0038, line 5 of the specification. However, Applicants have now amended the specification to replace reference character 301 with reference character 280. The reference character 301, because of a clerical error, was incorrectly included in the specification.

Applicants have also attached revised drawings for the Examiner's approval. In the "Replacement Sheets," Figure 1B has been amended to include the reference character 204, which was inadvertently omitted.

SPECIFICATION

The specification, specifically the abstract, stands objected to for including legal language such as the word “comprises.” Applicants have amended the abstract to remove any legal language, including the word “comprises,” which was found in line 1 of the abstract. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-5, 11, 12-16, 22, 25-30, 36, 39, 40 and 42 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Snodgrass (U.S. Pat. No. 6,739,231). This rejection is respectfully traversed.

Claims 1, 12, and 26 read, in relevant part, as follows: “a cam assembly for applying a rotational force to the tension spring assembly.”

Snodgrass fails to teach, disclose, or suggest a cam assembly for applying a rotational force to the tension spring assembly. Rather, Snodgrass has a pinion gear 76 engaging a rack 44 via a tooth and groove interaction between the gear 76 and the rack 44, a handle attachment member 48, and a pivot shaft 62. Rotation of the handle attachment member 48 results in the rotation of the pivot shaft 62. Since gear 76 is mounted on pivot shaft 62, gear 76 rotates causing rack 44 to move in a linear fashion. Rack 44, when moved in a first direction, abuts the bottom surface of a rotatable shaft 81 of a screw type tensioner 79. Accordingly, the application of force to the screw type tensioner 79 of the Snodgrass device is effected through the rack and pinion mechanism, not through a cam assembly.

In addition, claims 1, 12, and 26 also read, in relevant part, as follows: “a cover assembly adjustably coupled with the cam assembly, the cover assembly including a handle for enabling a

user to selectively engage the cover assembly with the cam assembly in an index position, the handle having a first tensioning position and a second tensioning position for translating the user selected tensioning force to the tension spring assembly through the cam assembly.”

Snodgrass fails to teach, disclose, or suggest a cover assembly including a handle for enabling a user to selectively engage the cover assembly with the cam assembly in an index position because Snodgrass fails to teach, disclose, or suggest a cam assembly.

Assuming *arguendo* that the pinion gear 76 and rack 44 can be considered a cam assembly, Snodgrass still fails to teach, disclose, or suggest a cover assembly including a handle for enabling a user to selectively engage the cover assembly with the cam assembly in an index position.

Snodgrass includes a second bracket portion 20, a handle 64, the handle attachment member 48, the pinion gear 76, the rack 44, and the pivot shaft 62. The handle 64 is coupled to the handle attachment member 48 and the handle attachment member 48 is coupled to the pivot shaft 62 at a first end of the pivot shaft 62. The pivot shaft 62 passes through the second bracket portion 20 via a first shaft receiving orifice 26, proximate to its first end, and is coupled at a second end to the gear 76. As discussed earlier, the gear 76 engages the rack 44 via a tooth and groove interaction.

As a result of the arrangement of the elements, the second bracket portion 20 cannot selectively engage with the gear 76 and the rack 44. As shown in Figures 3 and 4 of Snodgrass, the second bracket portion 20 is separated from the gear 76 and the rack 44 as the second bracket portion 20 couples to the pivot shaft 62 proximate the first end and the gear 67 and the rack 44 are located at the second end of the pivot shaft 62. Since the second bracket portion 20 is

separated from the gear 76 and the rack 44, the second bracket portion 20 cannot selectively engage with the gear 76 and the rack 44.

Alternatively, even if the second bracket portion 20 is viewed as engaging the gear 76 and the rack 44 via the pivot shaft 62, the second bracket portion 20 still cannot selectively engage with the gear 76 and the rack 44. The second bracket portion 20 is fixedly engaged to the gear 76 and the rack 44 via the pivot shaft 62.

Furthermore, claims 1, 12, and 26 recite, in relevant part: “an index indicator coupled with the cover assembly, the index indicator for indicating the index position for the cover assembly to enable translation of the desired tensioning force.”

Snodgrass fails to teach, disclose, or suggest an index indicator coupled with the cover assembly, the index indicator for indicating the index position for the cover assembly to enable translation of the desired tensioning force. Rather, Snodgrass has the handle attachment member 48, the second bracket portion 20, a pin 70, and adjustment orifices 30. The adjustment orifices 30 are not coupled with the second bracket portion 70, they are formed in second bracket portion 20. In addition, the adjustment orifices 30 do not indicate the index position of second bracket portion 20. Instead, the adjustment orifices 30 indicate the relative position of the handle attachment member 48. The adjustment orifices 30 are arranged to receive pin 70, which passes through handle attachment member 48. Depending on which orifice pin 70 is received in, the relative position of handle attachment member 48 is changed accordingly.

Finally, claims 40 and 42 have been cancelled.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-5, 11, 12-16, 22, 25-30, 36, 39, 40 and 42 under 35 U.S.C. § 102(a).

Claims 40 and 42 also stand rejected under 35 U.S.C. § 102(a) as being anticipated by Snodgrass (U.S. Pat. No. 6,739,231). Claims 40-42 have been cancelled obviating this rejection. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 6-10, 17-21, 31-35, and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Snodgrass in view of Stollenwerk (U.S. Pat. No. 5,261,304). This rejection is respectfully traversed.

Claims 6-10, 17-21, and 31-35 are dependent on claims 1, 12, and 26 addressed above. Claims 6-10, 17-21, and 31-35 are not anticipated nor obvious for at least the same reasons.

Claim 41 has been cancelled.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 6-10, 17-21, 31-35, and 41 under 35 U.S.C. § 103(a).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at
(410) 716-2886.

Respectfully submitted,

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